

OPINION 2092 (Case 3223)***Unio ochraceus* Say, 1817 (currently *Ligumia ochracea*; Mollusca, Bivalvia): specific name given precedence over that of *Mytilus fluviatilis* Gmelin, 1791**

Abstract. The Commission has ruled that the specific name of the American freshwater mussel *Unio ochraceus* Say, 1817 is given precedence over that of *Mytilus fluviatilis* Gmelin, 1791 whenever the two are considered to be synonyms.

Keywords. Nomenclature; taxonomy; Mollusca; UNIONIDAE; *Ligumia ochracea*; *Mytilus fluviatilis*; tidewater mucket; fresh water mussel; clam; America.

Ruling

- (1) Under the plenary power it is ruled that the name *ochraceus* Say, 1817, as published in the binomen *Unio ochraceus*, is hereby given precedence over the name *fluviatilis* Gmelin, 1791, as published in the binomen *Mytilus fluviatilis*, whenever the two are considered to be synonyms.
- (2) The following names are hereby placed on the Official List of Specific Names in Zoology:
 - (a) *ochraceus* Say, 1817, as published in the binomen *Unio ochraceus*, with the endorsement that it is to be given precedence over the name *fluviatilis* Gmelin, 1791, as published in the binomen *Mytilus fluviatilis*, whenever the two are considered to be synonyms;
 - (b) *fluviatilis* Gmelin, 1791, as published in the binomen *Mytilus fluviatilis*, with the endorsement that it is not to be given priority over the name *ochraceus* Say, 1817, as published in the binomen *Unio ochraceus*, whenever the two are considered to be synonyms.

History of Case 3223

An application to conserve the widely used specific name of *Unio ochraceus* Say, 1817 (currently *Ligumia ochracea*) for the American freshwater mussel (tidewater mucket) (family UNIONIDAE) by giving it precedence over the little used senior subjective synonym *Mytilus fluviatilis* Gmelin, 1791 was received from James R. Cordeiro (*Science Division, Nature Serve, Boston, MA, U.S.A.*) on 2 November 2001. After correspondence the case was published in BZN 60: 20–22 (March 2003). The title, abstract and keywords of the case were published on the Commission's website. No comments on this case were received.

Decision of the Commission

On 1 September 2004 the members of the Commission were invited to vote on the proposals published in BZN 60: 21. At the close of the voting period on 1 December 2004 the votes were as follows: 22 Commissioners voted FOR the proposals, 2 Commissioners voted AGAINST, Ng was on leave of absence.

Voting for, Bouchet commented that the application stated (para. 3) that Simpson (1914), Ortmann (1919), Frierson (1927) and Haas (1969) all used the name *fluviatilis*.

However, examination of the works in question revealed that these authors cited 'Mytilus fluviatilis Dillwyn, 1817' or 'Anodonta fluviatilis' in the synonymy of *Anodonta cataracta* Say, 1817, and did not use *fluviatilis* Gmelin, 1791 as the valid name of a species. Morrison (1974) is in fact the only 20th century author who used the specific name *fluviatilis* Gmelin, 1791 as the valid name of a species, but this is enough to exclude the case from Article 23.9. The application fails to mention that Morrison (1974) designated a neotype for *Mytilus fluviatilis* Gmelin, 1791, and did not report whether or not there exists original type material of *Unio ochraceus* Say, 1817. If there is, it would have been relevant to know whether the name-bearing types of the two nominal species are considered by the applicant to be subjective synonyms. If there is not, it could be appropriate to designate the neotype of *Mytilus fluviatilis* Gmelin, 1791 also the neotype of *Unio ochraceus* Say, 1817.

Original references

The following are the original references to the names placed on Official Lists by the ruling given in the present Opinion:

fluviatilis, *Mytilus*, Gmelin, 1791, *Caroli a Linné Systema Naturae*, vol. 1, part 6 (Vermes), p. 3359.

ochraceus, *Unio*, Say, 1817, *Nicholson's Encyclopedia or Dictionary of Arts & Sciences*, Ed. 1, vol. 4 (Conchology), pl. 2, fig. 8.